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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/710,574

07/21/2004

Igor Touzov

4573

34185 7590 03/01/2007
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EXAMINER

SHAH, SAMIR M

ART UNIT

PAPER NUMBER

2856

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/710,574

Applicant(s)

TOUZOV, IGOR

Examiner

Samir M. Shah

Art Unit

2856

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Note that the Examiner examining this case has been changed. Examiner Samir M. Shah is now examining this case instead of the previous Examiner Charles D. Garber.

Response to Arguments

2. Applicant's arguments, see "petition", filed 05/04/2006, with respect to the finality of the previous Office Action mailed on 03/14/2006 have been fully considered and are persuasive. The finality of the previous Office Action mailed on 03/14/2006 has been withdrawn.

3. Applicant's arguments, see "petition", filed 05/04/2006, with respect to references Sundaresan (US Patent 6,399,939 henceforth "Sundaresan"), Bassim (US Patent 4,609,994 henceforth "Bassim") and Lewis, III (US Patent 6,386,038 B1 henceforth "Lewis, III") have been fully considered and are persuasive. The 35 U.S.C. 102(b) rejection of claims 1, 3-5, 10 and 11 as being anticipated by Sundaresan, claims 1, 6 and 9 as being anticipated by Bassim, and claims 1-5 and 9 as being anticipated by Lewis, III has been withdrawn.

Specification

4. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is

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requested in correcting any errors of which applicant may become aware in the specification.

5. The disclosure is objected to because of the following informalities:

Paragraph 0002, line 4: delete "Mostly" and replace it with --Most--.

Paragraph 0006, line 4: delete "required" and replace it with --requires--.

Paragraph 0014, line 6: delete "build" and replace it with --built--.

Paragraph 0015, line 2: delete "sorely" and replace it with --solely--.

Paragraph 0023, line 1: delete "data that" and replace it with --data that is--.

Paragraph 0023, line 16: delete "sets does" and replace it with --sets do--.

Paragraph 0024, line 18

& line 19: delete "stimuluses" and replace it with --stimuli--.

Paragraph 0024, line 21: delete "distorsions" and replace it with --distortions--.

Paragraph 0024, line 21: delete "appliable" and replace it with --applicable--.

Paragraph 0024, line 22: delete "superseeds" and replace it with --supersedes--.

Paragraph 0027, line 1: delete "results" and replace it with --result--.

Paragraph 0028, last line: delete "suite" and replace it with --suit--.

Paragraph 0030, line 2: delete "needs" and replace it with --need--.

Paragraph 0031, line 1: delete "experience" and replace it with --experienced--.

Paragraph 0038, line 2: delete "does" and replace it with --do--.

Paragraph 0039, line 14: delete "converted 104" and replace it with --converter 104--.

Paragraph 0044, line 3: delete "process have" and replace it with --process has--.

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Paragraph 0058, line 1: delete "does" and replace it with --do--.

Paragraph 0059, line 1: delete "does" and replace it with --do--.

Paragraph 0063, line 9: delete "invention my" and replace it with --invention may--.

Paragraph 0063, line 14: delete "can located" and replace it with --can be located--.

Paragraph 0063, line 17: delete "my be" and replace it with --may be--.

Paragraph 0067, line 1: delete "experience" and replace it with --experienced--.

Paragraph 0068, line 4: delete "and or" and replace it with --and/or--.

Appropriate correction is required.

Claim Objections

6. Claims 1, 2, 5-7 and 9-11 are objected to because of the following informalities:

As to claim 1, line 13, delete "results does" and replace it with --results do--.

As to claim 2, line 1, delete "comprising digital" and replace it with --a digital--.

As to claim 2, line 1, delete "implementing method" and replace it with --implementing the method--.

As to claim 5, line 1, delete "data that employed" and replace it with --data that is employed--.

As to claim 6, lines 1-2, delete both occurrences of "and or" and replace them with --and/or--.

As to claim 6, line 2, delete "remote location" and replace it with --a remote location--.

As to claim 7, line 1, delete "method" and replace it with --the method--.

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As to claim 9, line 1, delete "where in" and replace it with --wherein a--.

As to claims 10 and 11, delete "An apparatus" and replace it with --The apparatus--.

As to claim 10, delete "uses" and replace it with --uses an--.

As to claim 11, delete "uses network" and replace it with --uses a network--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-7 and 9-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(a) As to claim 1, the phrase "a set of mounted sensor(s)" is indefinite because a set would include at least two sensors, whereas a single sensor would not constitute a set of sensors.

(b) As to claim 2, the phrase "said plurality accounts for at least one sensor" is indefinite because a single sensor cannot constitute a plurality of sensors.

(c) It is suggested that a phrase such as "at least one sensor" be used to overcome these rejections of claims 1 and 2.

(d) Claims 3-7 and 9-11 depending from indefinite claims 1 and/or 2 are indefinite for the same reason.

9. Claim 1 recites the limitation "said method results" in lines 7-8 of the claim.

There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

10. Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

11. Claims 2-7 and 9-11 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action, to overcome the rejection(s) of claim 1 under 35 U.S.C. 112, 2nd paragraph, and to include all of the limitations of the base claim and any intervening claims.

Conclusion


12. The prior art made of record and not relied upon, cited in the attached 892 form, is considered pertinent to applicant's disclosure.

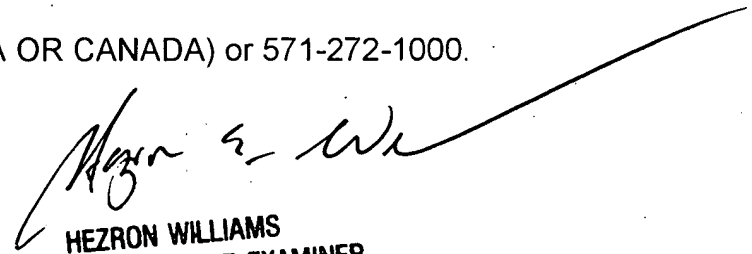
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samir M. Shah whose telephone number is (571) 272-2671. The examiner can normally be reached on Monday-Friday 9:30 am to 6:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Samir M. Shah
Art Unit 2856
01/07/2007


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